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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO.: CR03-446-MJP
10 Plaintiff,)
11 v.) SUMMARY REPORT OF U.S.
12 JACOB KLINE,) MAGISTRATE JUDGE AS TO
13 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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15 A hearing on supervised release revocation in this case was scheduled before me on
16 September 28, 2005. The United States was represented by AUSA Andrew C. Friedman and the
17 defendant by Paula S. Deutsch. The proceedings were recorded on cassette tape.

18 Defendant had been sentenced on or about May 30, 2000 in the District of Hawaii, cause
19 number 99-425 by the Honorable Susan Oki Mollway on two counts of Bank Robbery and
20 sentenced to 63 Months Custody, 3 years Supervised Release.

21 The conditions of supervised release included requirements that defendant comply with all
22 local, state, and federal laws and with the standard conditions of supervision. Other special
23 conditions included no weapons, mental health treatment, financial disclosure, and restitution in
24 the amount of \$2,658. Defendant's supervision was transferred to this District on October 22,
25 2003. (Dkt. 1)

26 On June 7, 2005, defendant's probation officer reported that he had violated supervised

01 release by committing the law violation of assault. Mr. Kline had been charged in state court for
02 this offense, so the court deferred to the sentence imposed in state court and took no further
03 action at the time. (Dkt. 3).

04 On August 23, 2005, the defendant agreed to a modification of the terms of his supervised
05 release to require residence in a community corrections center for up to 180 days. (Dkt. 4)

06 In an application dated September 8, 2005, U.S. Probation Officer Brian K. Facklam
07 alleged the following violation of the conditions of supervised release:

08 1. Failing to reside in a community corrections [center] in violation of his modified
09 conditions of supervision ordering that he reside in a CCC until discharged by the center director
10 with the approval of the U.S. Probation Officer.

11 Defendant was advised in full as to the charge and as to his constitutional rights.

12 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether
13 it occurred.

14 I therefore recommend the Court find defendant violated his supervised release as alleged
15 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
16 set before Judge Pechman.

17 Pending a final determination by the Court, defendant has been detained.

18 DATED this 28th day of September, 2005.

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21 Mary Alice Theiler
22 United States Magistrate Judge

23 cc: District Judge: Honorable Marsha J. Pechman
24 AUSA: Andrew C. Friedman
25 Defendant's attorney: Paula S. Deutsch
26 Probation officer: Brian K. Facklam